

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

BRUNSON ROBERTS,
ADC #127841

PLAINTIFFS

V.

2:06CV00140 WRW/JTR

LARRY NORRIS, Director,
Arkansas Department of Correction, et al.

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Partial Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. Plaintiff shall proceed with his three Eighth Amendment claims against Defendants Hobbs, Harmon, Bogan, and Green.
2. The Clerk is directed to prepare a summons for Defendants Hobbs, Harmon, Bogan, and Green, and the United States Marshal is directed to serve the summons, the Substituted Complaint (docket entry #18), the Addendum (docket entry #19), the Recommended Partial Disposition, and this Order upon those four Defendants through the ADC Compliance Division, without prepayment of fees and costs or security therefor.¹

¹If any of the Defendants are no longer ADC employees, the ADC Compliance Office shall file, with the return of unexecuted service, a **SEALED** Statement providing the last known private mailing address for the unserved Defendant.

3. Pursuant to the screening function mandated by 28 U.S.C. § 1915(a), all remaining Defendants and claims are DISMISSED, WITHOUT PREJUDICE

4. Plaintiff's Third Motion for a Preliminary Injunction (docket entry #20) is DENIED.

5. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

Dated this 7th day of September, 2006.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE